

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ADAN INZUNZA-BARRERAS,

Defendant.

8:19-CR-271

**PRELIMINARY ORDER OF
FORFEITURE**

This matter is before the Court upon the United States of America's Motion for Preliminary Order of Forfeiture. [Filing 40](#). The Court has reviewed the record in this case and, being duly advised in the premises, finds as follows:

1. On August 21, 2019, a federal grand jury sitting in this District returned a Four-Count Indictment against Defendant. Count One charged defendant with conspiracy to distribute and possession with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, in violation of [21 U.S.C. § 846](#). There was a Forfeiture Allegation contained in the Indictment which sought the forfeiture of \$5,964.00 pursuant to [21 U.S.C. § 853](#).
2. Defendant entered into a Plea Agreement, [Filing 38](#), whereby he agreed to enter a plea of guilty to Count One of the Indictment and admit to the Forfeiture Allegation.
3. The Forfeiture Allegation alleged that the \$5,964.00 in United States Currency seized from Defendant was derived from, or proceeds of, or used to facilitate the allegations contained in Counts I, III, IV.
4. By virtue of Defendant's plea of guilty and his admission to the Forfeiture Allegation, Defendant has forfeited his interest in the subject currency. Accordingly, the United States should be entitled to possession of said currency pursuant to [21 U.S.C. § 853](#).

The Motion for Preliminary Order of Forfeiture ([Filing 40](#)) should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. The Motion for Preliminary Order of Forfeiture, [Filing 40](#), is hereby granted;
2. Based upon the Forfeiture Allegation in the Indictment and the plea of guilty, the United States is hereby authorized to seize the \$5,964.00 U.S. currency;

3. Defendant's interest in the \$5,964.00 U.S. currency is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of [21 U.S.C. § 853\(n\)\(1\)](#);
4. The United States shall hold the currency in its secure custody and control.
5. Pursuant to [21 U.S.C. § 853\(n\)\(1\)](#), the United States shall publish notice of this Preliminary Order of Forfeiture for at least thirty consecutive days on an official internet government forfeiture site, www.forfeiture.gov. The United States may also, to the extent practicable, provide direct written notice to any person known to have an interest in the currency;
6. Pursuant to [21 U.S.C. § 853\(n\)\(2\)](#), such notice shall provide that any person, other than Defendant, having or claiming a legal interest in any of the property must file a petition with this Court within 30 days of the final publication of notice or of receipt of actual notice, whichever is earlier;
7. Pursuant to [21 U.S.C. § 853\(n\)\(3\)](#), a petitioner must sign the petition under penalty of perjury and set forth the nature and extent of the petitioner's right, title or interest in the property and any additional facts supporting the petitioner's claim and the relief sought; and
8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to [21 § U.S.C. 853\(n\)](#), in which all interests will be addressed.

Dated this 13th day of August, 2020.

BY THE COURT:



Brian C. Buescher
United States District Judge